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YOUR REFERENCE No.:
 App. No. 10/733,808

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 005313.00016

RE:
 Request to Rescind Previous Nonpublication Request

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RESCISSION OF PREVIOUS NONPUBLICATION REQUEST (35 U.S.C. 122(b)(2)(B)(i)) AND, IF APPLICABLE, NOTICE OF FOREIGN FILING (35 U.S.C. 122(b)(2)(B)(iii)) Send completed form to: Mail Stop PG Pub Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 505-8568		Application Number	10/733,808
		Filing Date	December 10, 2003
		First Named Inventor	Chris A. Hopew et al.
		Title	NETWORK APPLIANCE
		Atty Docket Number	005313.00018
Group Art Unit	2121		
Examiner	TBD		

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(i).

December 10, 2004
Date


Signature

202-824-3000
Telephone Number


Thomas L. Evans, Reg. #35,805
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

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Name (Print/Type)	Thomas L. Evans		
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Chris A. HOPEN ET AL.

Examiner: TBD

U.S. Pat. App. No.: 10/733,808

Group Art Unit: 2121

Filed: December 10, 2003

Title: NETWORK APPLIANCE

NOTICE UNDER 37 C.F.R. §122(b)(2)(B)(iii)

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P.O. Box 1450
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Dear Sir:

Notice under 35 U.S.C. §122(b)(2)(B)(iii) and 37 C.F.R. §1.213(c) is hereby provided to the U.S. Patent and Trademark Office that an International application under the Patent Cooperation Treaty claiming priority to the instant application in the U.S. Patent and Trademark Office is being filed today, December 10, 2004.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:

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December 10, 2004